

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ESTHER CANALES, individually and as
Mother and Natural Guardian of
Infant, E.O.M.,

MEMORANDUM & ORDER
19-CV-834 (EK) (VMS)

Plaintiff,

-against-

UNITED STATES OF AMERICA, et al.,

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Scanlon's Report and Recommendation (R&R) dated July 30, 2025. ECF No. 93. Judge Scanlon recommends that the Court grant the application to purchase real property, ECF No. 90, filed by Esther Canales, Chris Mayen, and Midland Trust Company (together, "Petitioners"), co-trustees for the E.O.M. Settlement Trust (the "Trust"). No parties have objected, and Petitioners – the only party with a direct interest – have waived the 14-day time to do so. ECF No. 94. Accordingly, the Court reviews Judge Scanlon's recommendation for clear error on the face of the record. See Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition; accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013).

Having reviewed the record, I find no error and therefore adopt the R&R in its entirety. Thus, Petitioners' application to use \$855,000 from the E.O.M. Settlement Trust to purchase the real property located at 20180 NW 9th Drive, Pembroke Pines, Florida 33029 (the "Property"), in the Trust's name, and to use funds from the Trust to pay homeowner's insurance and property taxes for the Property, expenditures related to the home purchase and closing costs for the Property, and minor repairs on the Property amounting up to \$5,000 per year, is granted.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: August 11, 2025
Brooklyn, New York